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### IN THE UNITED STATES

### PATENT AND TRADEMARK OFFICE

APPLICANT(S):

Christopher E. Axe, Marco S. Casalaina

**APPLICATION NO.:** 

09/636,418

FILING DATE:

August 10, 2000

TITLE:

VISUAL CONFIGURATOR

**EXAMINER:** 

Unknown

GROUP ART UNIT:

2671

ATTY. DKT. NO.:

4876

#### **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Washington, D.C. 20231, on the date shown below:

Dated: February 4, 2002

By: Dua M. Jena

Tina M. Lessani, Reg. No. 41,150

COMMISSIONER FOR PATENTS WASHINGTON, DC. 20231

# SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO-1449 listing a reference for consideration by the Examiner. A copy is enclosed herewith of each listed reference which may be material to the examination of this application, and with respect to which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

under 37 CFR.§ 1.97(c); OR  Applicant certifies pursuant to 37 CFR § 1.97(e) that:  each item of information contained in this Information foreign patent office in a counterpart foreign application more than three months prior to the filing of this St OR  no item of information contained in this Information Disclosure Statement was cited in a communication foreign patent office in a counterpart foreign application to the knowledge of the person signing this certification.		This application relies, under 35 U.S.C. § 120, on the earlier filing date of papplication Serial No. [SERIAL NUMBER], filed on [FILING DATE], and references cited therein are hereby referenced, but are not required to be proin this application under 37 CFR § 1.98(d).					
into the national stage of an international application, or before the date of a first official action on the merits, whichever event last occ OR    before the mailing of a first official action after the filing of a request continued examination (RCE) under 37 CFR § 1.114;   after three months of the filing date of this national application or to of entry of the national stage in an international application, or after mailing date of the first official action on the merits, whichever even occurred, but before the mailing date of the first to occur of either:  (1) a final action under 37 CFR §1.113; OR  (2) a notice of allowance under 37 CFR §1.311; AND    attached hereto is the fee of \$180, as set forth under 37 CFR §1.17(p), for submission of this Information Disclosure Statunder 37 CFR.§ 1.97(c); OR    Applicant certifies pursuant to 37 CFR § 1.97(e) that:    each item of information contained in this Information foreign patent office in a counterpart foreign application more than three months prior to the filing of this Statement was cited in a communication Disclosure Statement was cited in a communication foreign patent office in a counterpart foreign application on the more than three months prior to the filing of this Statement was cited in a communication Disclosure Statement was cited in a communication foreign patent office in a counterpart foreign application to the knowledge of the person signing this certific	Γhe Inf	format	tion Disc	closure	Statement submitted herewith is being filed:		
<ul> <li>□ before the mailing of a first official action after the filing of a request continued examination (RCE) under 37 CFR § 1.114;</li> <li>□ after three months of the filing date of this national application or to of entry of the national stage in an international application, or after mailing date of the first official action on the merits, whichever ever occurred, but before the mailing date of the first to occur of either:         <ol> <li>a final action under 37 CFR §1.113; OR</li> <li>a notice of allowance under 37 CFR §1.311; AND</li> <li>□ attached hereto is the fee of \$180, as set forth under 37 CFR §1.17(p), for submission of this Information Disclosure Statunder 37 CFR.§ 1.97(c); OR</li> <li>□ Applicant certifies pursuant to 37 CFR § 1.97(e) that:</li> <li>□ each item of information contained in this Information foreign patent office in a counterpart foreign application more than three months prior to the filing of this Statement was cited in a communication Disclosure Statement was cited in a communication foreign patent office in a counterpart foreign application to the knowledge of the person signing this certification to the knowledge of the person signing this certification.</li> </ol> </li> </ul>			into the	e nation	al stage of an international application, or before the mailing		
after three months of the filing date of this national application or to of entry of the national stage in an international application, or after mailing date of the first official action on the merits, whichever ever occurred, but before the mailing date of the first to occur of either:  (1) a final action under 37 CFR §1.113; OR  (2) a notice of allowance under 37 CFR §1.311; AND  attached hereto is the fee of \$180, as set forth under 37 CFR §1.17(p), for submission of this Information Disclosure Statunder 37 CFR.§ 1.97(c); OR  Applicant certifies pursuant to 37 CFR § 1.97(e) that:  each item of information contained in this Information foreign patent office in a counterpart foreign application more than three months prior to the filing of this Statement was cited in a communication Disclosure Statement was cited in a communication foreign patent office in a counterpart foreign application foreign patent office in a counterpart foreign application to the knowledge of the person signing this certification contained in this certification to the knowledge of the person signing this certification.			before				
no item of information contained in this Information  Disclosure Statement was cited in a communication foreign patent office in a counterpart foreign applicate to the knowledge of the person signing this certification.			of entry mailing occurre (1)	y of the g date o ed, but the a final a notice attach §1.176 under	national stage in an international application, or after the f the first official action on the merits, whichever event last before the mailing date of the first to occur of either:  I action under 37 CFR §1.113; OR  the of allowance under 37 CFR §1.311; AND  the ded hereto is the fee of \$180, as set forth under 37 CFR  (p), for submission of this Information Disclosure Statement  37 CFR.§ 1.97(c); OR  the cartifies pursuant to 37 CFR § 1.97(e) that:  the each item of information contained in this Information  Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement;		
individual designated under 37 CFR § 1.56(c) more three months prior to the filing of this Statement.  OR			OR		no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56(c) more than		

		• •	the issue fee but after the mailing date of the first to
		of either:	
	[1]	a final action u	inder 37 CFR § 1.113; OR
	[2]	a notice of allo	owance under 37 CFR § 1.311; AND
		in accordance	with the requirements of 37 CFR § 1.97(d):
		Applicant certi	ifies pursuant to 37 CFR. § 1.97(e) that:
		each ite	em of information contained in this Information
		Disclos	sure Statement was cited in a communication from a
		foreign	patent office in a counterpart foreign application not
		more th	nan three months prior to the filing of this Statement;
		OR	
		no item	of information contained in this Information
		Disclos	sure Statement was cited in a communication from a
		foreign	patent office in a counterpart foreign application or,
		to the k	knowledge of the person signing this certification
		after m	aking reasonable inquiry, was known to any
			ual designated under 37 CFR § 1.56(c) more than
			nonths prior to the filing of this Statement; AND
	П		by respectfully petitions for the consideration of
			ying Information Disclosure Statement under 37 CFR
		§ 1.97(d)(2); A	<del>-</del>
	П	• • • • • •	mits the petition fee of \$180 as set forth in 37 CFR §
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		1.17 (p).	
	eant sub	mits that no fee	is required for the consideration of the
accompanying Inform			_
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Consideration	of the l	isted reference	and favorable action are solicited.
			Respectfully submitted, CHRISTOPHER E. AXE, MARCO S.
			CASALAINA
Dated: Februar	44,	2002	By: Fine M. Jersen
	)		Tina M. Lessant, Reg. No. 41,150

## **PATENT**

Fenwick & West LLP Two Palo Alto Square Palo Alto, CA 94306 Tel.: (650) 858-7609

Fax.: (650) 494-1417



## Statement Regarding Demonstration of a Prototype Visual Configurator

It is the understanding of the Attorneys of Record that in approximately 1998, Calico Commerce, Inc. demonstrated a prototype visual configurator to a customer or potential customer. Applicants believe that the visual configurator system and method claimed in the subject application is patentably distinguishable from the prototype visual configurator that was demonstrated in 1998. It is the understanding of the Attorneys of Record that the visual configurator demonstrated in 1998 is the dispatch system described (1) on page 4, lines 4-12 of the "Background of the Invention" section of the subject application and (2) in the document titled "Visio-based Configuration Overview," which was included in the Information Disclosure Statement previously filed on November 29, 2000.

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PE C. Department

PTO/SB/21 (modified)
Approved for use through xx/xx/xx, OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

	ent and Trademark Office. O	.S. DEPARTMENT OF COMMERCE					
0001/PTO S. Department of Commerce Rev. 10/95	Application Number	09/636,418					
	Filing Date	August 10, 2000					
TRANSMITTAL FORM	First Named Inventor	Christopher E. Axe					
(to be used for all correspondence during pendency of filed application)	Group Art Unit Number	2671					
,, ,	Examiner Name	Unknown					
Total Number of Pages in This Submission 9	Attorney Docket Number	Unknown  21113-4876  Perhological Advisory Contents of					
ENCLOSURES	(check all that apply	) PCA MAR SI	ا ••••				
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Assignment & Recordation Cover Sheet	Interferences	cation to Board of Appeals and					
Declaration							
Power of Attorney	Appeal Communi	Cation to Group Brief, Reply Brief)					
Application Data Sheet							
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REMARKS:							
SIGNATURE OF	ATTORNEY OR AGEN	IT					
Signature: Qua M.	lenani						
Attorney/Reg. No.: Tina M. Lessani, 41,150		Dated: 02/04/02					
CERTIFIC	ATE OF MAILING						
I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.							
Signature: Oria M.	enane						
Typed or Printed Name: Tina M. Lessani		Dated: 02/04/02					
Express Mail Mailing Number (optional):							

PTO/SB/17 (10-01)(modified)
OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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01	Patent and Trademark Office

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## **FEE TRANSMITTAL**

**TOTAL AMOUNT OF PAYMENT** 

Subtotal (1) + Subtotal (2) + Subtotal (3) = (\$)0

ratent and trade	Illaik Office. U.S. DEFA	KINIENT OF COMMERCE
	Complete if Known	
Application Number	09/636,418	
Filing Date	August 10, 2000	
First Named Inventor	Christopher E. Axe	
Group Art Unit	2671	^
Examiner Name	Unknown	<b>₹</b>
Attorney Docket Number	21113-4876	> Ma CA

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men	ntioned deposit ac	count.	105/ <b>\$130</b>	205/ <b>\$65</b>	Surcharge	- late filing fee or o	oath	*		
CFR	R 1.16 - 1.21 or cre	l fee required under 37 edit any over payments ed deposit account. †	127/\$50	227/ <b>\$2</b> 5	Surcharge	-late provisional fili	ng.fee or cove	er sheet		
	ie below memone	a deposit account.	147/ <b>\$2,520</b>	147/ <b>\$2,520</b>	For filing a	request for reexar	nination			
	olicant claims smal 37 CFR 1.27	l entity status	115/\$110	215/\$55	Extension	for response withir	first month			
			116/ <b>\$400</b>	216/ <b>\$200</b>	Extension	for response withir	second mont	in†		
	unt Number: 19-		117/\$920	217/\$460	Extension	for response withir	third month†	-		
•		VICK & WEST LLP	118/ <b>\$1,440</b>	218/ <b>\$720</b>	Extension	for response withir	n fourth month	† <u>B</u>	`	-
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FEE CAL  1. FILING FI	CULATION (f	ees effective 10/01/2001)	141/ <b>\$1,280</b>	241/\$640	Petition to application	revive unintentiona	ally abandone	19 19	0	Ī
Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Fee Description Due	142/ <b>\$1,2</b> 80	242/\$640	Utility Issu	e Fee (Or Reissue	)	Center 2100	2002	
101/ <b>\$740</b>	201/\$370	Utility Filing	143/ <b>\$460</b>	243/ <b>\$230</b>	Design Iss	ue Fee		20		$\dot{}$
106/ <b>\$330</b>	206/ <b>\$165</b>	Design Filing	122/\$130	122/ <b>\$130</b>	Petitions to	the Commissione	er	_		
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108/\$740	208/\$370	Reissue	179/ <b>\$740</b>	279/\$370	Request fo	or Continued Exam	ination (RCE)			
114/\$160	214/\$80	Provisional Filing	581/ <b>\$40</b>	581/\$40		each patent assignates of properties)	nment per pro	perty		
	SUBTOTAL	. (1) (\$) 0	146/ <b>\$740</b>	246/ <b>\$370</b>	Filing a su	bmission after final	rejection			ļ
2. CLAIMS					(37 CFR 1	.129(a))				
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103/\$18	203/\$9	Claims in excess of 20		Other fee (specify):						ł
102/\$84	202/ <b>\$42</b>	Independent claims in excess of 3		Other fee (specify):						
104/ <b>\$280</b>	204/ <b>\$140</b>	Multiple dependent claim				SUB	TOTAL (3)	(\$)0		
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Typed or Printe		ina M. Lessani				Reg. Number	· · · · · · · · · · · · · · · · · · ·	11,150		
Signature	Dire M	). Tenani.				Date	February 4	1, 2002		